

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CYWEE GROUP LTD.,

Plaintiff,

v.

HTC CORPORATION, and HTC AMERICA,  
INC.,

Defendants,

HTC CORPORATION, and HTC AMERICA,  
INC.,

Third-Party Plaintiffs,

v.

STMICROELECTRONICS N.V.,  
STMICROELECTRONICS, INC., and CYWEE  
MOTION GROUP LTD.,

Third-Party Defendants.

CASE NO.: 2:17-cv-00932-JLR

**DEFENDANTS' STATEMENT OF  
NON-OPPOSITION TO MOTION**

JURY TRIAL DEMANDED

Defendant HTC Corporation and HTC America, Inc. (collectively "HTC") hereby submit this Statement of Non-Opposition to inform the Court that HTC does not oppose Third-Party Defendant STMicroelectronics, Inc.'s ("STM, Inc.") Motion to Dismiss for Failure to State a Claim (Dkt. # 64) in the above-captioned matter.

Prior to the filing of its Third-Party Complaint, HTC reached out to STMicroelectronics Asia Pacific Pte. Ltd. (“STM Asia”) regarding the Complaint filed by CyWee Group Ltd. (“CyWee Group”). In response, STM Asia directed HTC to contact STM Inc. to discuss potential resolution of this matter. Following an attempt to resolve this matter per the direction of STM Asia, HTC filed the Third-Party Complaint against STMicroelectronics N.V. (“STM N.V.”), the parent to STM Asia and STM, Inc., believing in good faith that STM Inc. was a proper party to the Third-Party Complaint.

After reviewing STM, Inc.’s Motion and Mr. Karl Straatveit’s Declaration in support of the Motion, and in the interest of conserving valuable judicial resources, HTC hereby submits this Statement of Non-Opposition in reliance of STM, Inc.’s representation set forth in STM, Inc.’s Declaration. HTC continues to assert that ST N.V., the parent corporation to STM Asia and STM, Inc. headquartered in the Netherlands is a correct party to this Litigation as set forth in HTC’s Third-Party Complaint. In addition, HTC may file a motion to amend the Third-Party Complaint to remove STM, Inc. and add STM Asia as a party to this action.

By submitting this Statement, HTC is not stating or implying any admission and/or agreement with any legal or factual contentions set forth in CyWee Group’s Second Amended Complaint. HTC expressly reserves any and all defenses that it may have to CyWee Group’s claims and any and all objections it may have to CyWee Group’s Second Amended Complaint in further proceedings before this Court.

Respectfully submitted,

Dated: April 13, 2018

s/ Gregory L. Watts  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 13, 2018, I filed the foregoing entitled as follows:  
**DEFENDANTS' STATEMENT OF NON-OPPOSITION TO MOTION** with the Clerk of  
the Court using the CM/ECF system, and served all parties via ECF.

Dated: April 13, 2018

s/ Gregory L. Watts  
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